

THE HONORABLE ROBERT S. LASNIK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re Application of

ZIM INTEGRATED SHIPPING
SERVICES LTD.,

Applicant,

For Emergency Order Authorizing
Discovery For Use In Foreign Proceedings
Under 28 U.S.C. § 1782

Case No. 2:21-mc-0006-RSL

ORDER PURSUANT TO 28 U.S.C.
§1782 TO ISSUE SUBPOENAS TO THE
MASTER AND CREW OF THE M/V E.R.
TIANPING FOR THE PRODUCTION
OF DOCUMENTS AND
DEPOSITIONS FOR USE IN A
FOREIGN PROCEEDING

The ex parte Application of ZIM INTEGRATED SHIPPING LTD. (“Zim”) for an Order pursuant to 28 U.S.C. § 1782 to issue subpoenas to the master and crew of the M/V E.R. TIANPING (IMO# 9305489) (the “Vessel”), a vessel scheduled to call at Terminal 18 of the Port of Seattle in Seattle, Washington, on or about January 25, 2021, for the inspection and production of documents, and depositions of the master and certain crew members, having come before the court and the court having considered the submission made by Applicant, it is hereby:

ORDERED that the Application is granted; and, it is further

1 ORDERED that Applicant is authorized to conduct limited discovery pursuant to 28
2 U.S.C. § 1782 and the Federal Rules of Civil Procedure in the form of a subpoena to the
3 master of the Vessel for the production of the documents as set forth in Exhibit A to the
4 subpoena attached to the Application and subpoenas to the master and vessel crew members
5 for depositions; and, it is further


6 ORDERED that the order and subpoenas will be served on the master of the Vessel,
7 as soon as possible after the Vessel's arrival at Terminal 18, Port of Seattle, in Seattle,
8 Washington on or about January 25, 2021, by any person who is at least 18 years old and not
9 a party; and, it is further

10 ORDERED that Applicant's counsel may amend and sign the subpoenas, pursuant to
11 the Federal Rules of Civil Procedure, Rule 45, to accommodate any change of the Vessel's
12 estimated time of arrival; and, it is further

13 ORDERED that Applicant's counsel and/or a surveyor or other maritime expert
14 appointed by Applicant may accompany the person serving the subpoenas and may be
15 allowed to remain on board the Vessel to expedite the compliance with this court's order and
16 the subpoenas; and, it is further

17 ORDERED that the court will retain jurisdiction over this matter as necessary to
18 enforce the terms of discovery authorized by this Order.

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20 Dated this 20th day of January, 2021.

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22 THE HONORABLE ROBERT S. LASNIK
23 UNITED STATES DISTRICT COURT JUDGE
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1 **Presented by:**

2 SCHWABE, WILLIAMSON & WYATT, P.C.

3
4 /s/ Molly J. Henry

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